

THE DAILY CHIEFTAIN.

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VINITA, IND. TER., THURSDAY EVENING, OCTOBER 20, 1898.

PRICE 10c A WEEK

JUDGE THOMAS' COURT.

CALL OF THE DOCKET.

Charles Langley, larceny and concealing stolen property. Jury trial and verdict of guilty.

Eugene Maxey, liquor; plead guilty to selling. Sentenced to one year and one day at Fort Leavenworth penitentiary.

Charles B. Moore, larceny; plead guilty, sentenced to two years and six months in the penitentiary at Fort Leavenworth.

Joseph Bough, larceny; plea not guilty, on call.

Silas Tilders, liquor; plea not guilty.

The larceny case against the Wyckliffe was continued generally.

Read Vann, larceny; plea guilty. Sentenced to five years in the penitentiary at Fort Leavenworth.

Ed Ballard, aggravated assault; certified to the United States commissioner at Vinita for trial.

Judge Thomas announced that he would fine attorneys who neglected to appear for their clients when called. A number of cases were called in which the attorneys employed were not present.

Isaac Nolen, murder; on trial.

Bob Selby and Dan Moore, larceny and concealing stolen property; dismissed.

The case of Isaac Nolen, charged with the murder of Andrew Aterson, was taken up this afternoon. The killing occurred sometime last year near Sapulpa. Nolen is a white man with Indian wife and children, and the deceased was also a white man. From the array of witnesses the case will occupy a day or two.

Cherokee School Fund.

The treasury department, in an opinion just transmitted to Secretary Bliss, confirms the view of the interior department, that congress, by the Curtis Indian Territory act, did not intend to cripple the cause of Indian education, which has heretofore been carefully fostered. The decision is on a question looking to the immediate relief of the Cherokees presented by Secretary Bliss as to authority for making payments of interest moneys aggregating \$73,847 to the Cherokee government or its treasurer, as heretofore, "whether the Secretary is limited in this disbursement."

The decision holds that section 19 of the Curtis act deals solely with the channel through which payments of money to the five civilized tribes are to be made, and that congress had no intention that these moneys due the Cherokees should be diverted or disposed of otherwise than authorized by existing treaties and laws. It is, accordingly, within the power of the secretary of the interior to pay these funds through some United States disbursing officer for the purpose as authorized.

The change that appears to be contemplated by the act is a substitution of a disbursing officer of the United States for the treasurer of the Indian nation.

A Disappointment.

Mrs. H. C. Cook fears from recent communications with her son, Allen, of the New York, that he will be unable to make the expected visit next month. The ship is now at the Brooklyn navy yard and owing to the unsettled condition of national affairs there is a disinclination to grant officers of the navy leaves of absence, to any considerable extent.

CHEROKES STAND ALONE.

Left to Make the Fight Single-Handed Against Giving Up Treaty Rights.

This government has played at treaty-making with Indians from the earliest times. The pipe of peace has been smoked at frequent intervals and elaborate agreements have been entered into. The farce that tribes were nations has been performed over and over. Indian treaties have been recognized as binding until it pleased the government to set aside the old and to make new ones. Such a policy was not inconvenient with tribes that could be treated either in the capacity of dependent wards or of sovereign nations, as best suited the government at the particular time. Where treaties meant nothing but temporary promises there was no trouble about setting them aside. But when the policy was applied to the Cherokees, Creeks, Choctaws and Chickasaws, this government laid up for itself no end of complications.

More than half a century ago these shrewd people obtained a construction from the United States supreme court which declared the Indian nations to be "dependent sovereignties." Chief Justice Marshall rendered it. The condition seems anomalous on its face, but the court recognized it. And so for generations this government has conceded in various ways the existence within itself of the dependent sovereignties. When these nations were induced by a fresh lot of treaties to move to the present locations in the Indian Territory, they insisted upon such conveyances of the lands to them as would reaffirm their sovereignty and render it impossible on the part of the United States to make them move again. The government has never looked beyond the immediate present in its dealings with Indians. It readily granted patents at the suggestion of the Indians and tied its own hands so far as such treaty obligations go.

The present is reaping the complications of that sowing. Here is the so-called Indian Territory, with its 50,000 or more Indians owning and holding every acre of land by virtue of the tribal patents. Here are 350,000 white people without title, without organized local government, without taxation, without municipal regulations, without schools. Six or seven to one, these white people live as squatters within the bounds of the territory, having no rights in the eyes of the law, here solely by the Indian's sufferance. And it looks very much as if the United States could do little to change such conditions without first obtaining the Indian's consent.

How long the Cherokees will make the fight single-handed against the loss of their dependent sovereignty is beyond prediction. The United States conveyed this great reservation to the Cherokees to have and to hold while grass grows, water flows and sun shines. How can it set aside the patents? How can it say to the members of the tribe each one of you must take so much and the rest must be sold for such a price? The treaty guaranteed that the Cherokee nation should have exclusive jurisdiction in all causes between

members of the tribe. How can the United States abolish the Indian courts and declare that its own courts shall have jurisdiction over the Cherokees? There are many more of these hard questions, if the Cherokees continue in their present frame of mind and push them to answer in the court of last resort. The closer the strange conditions of this problem are viewed the greater the respect felt for the policy which has kept the Dawes commission at work talking the way to the agreements. There are complications and there is litigation without end in sight at best. But the situation would be worse if the compromise had not been negotiated.—W. B. Stevens, in Globe-Democrat.

Warning to the "Doggeries."

Judge Thomas sentenced a man, (McDaniel of Tulsa) this afternoon convicted of selling intoxicating liquor. He gave him five years in the penitentiary at Fort Leavenworth and fined him \$500. In the face of the strong utterances of the court in connection with passing what may to some seem a severe sentence, if men will persist in selling the vile liquors offered in the "doggeries" of this town and elsewhere, they certainly deserve no sympathy when indicted and arraigned before the court. No man can longer plead ignorance on this subject, and it would certainly be the part of wisdom to stop selling. The good people of this country will endorse and commend the action of Judge Thomas anent the sale of intoxicating liquor, and will bless the day when he began his vigorous crusade against. It is a dangerous business, and McDaniel's fate ought to be sufficient warning to all.

Who Was the Man?

I have thus far been unable to find out the name of the man who introduced the plan of charging a cent less than a multiple of 10 for goods sold in department stores, says a writer in New York Press. He was one of the geniuses of the century.

While he deprives a house that does \$5,000,000 of business annually of \$50,000 in cash, estimating the sales at an average of 99 cents each, he increased the patronage three fold or more, by exciting the cupidity and the economic faculty of the customers. The department stores should erect a monument to him inscribing on the four sides "39 49 89 99." He was an able student of human nature who devined that woman will spend 10 cents in car fare to buy for 99c a yard for goods which she might have gotten across the street for \$1.

This Cold Weather

Calls for stoves and pipe. Now before you buy your coal or wood stoves you will do well to see me for prices on my heaters. I always keep the best to be found on the market.

I keep the celebrated Detroit coal heaters, also Russian iron Wilson heaters, which are suitable for any room.

I always sell the cheapest. Why? Because we are our own clerks and we always buy for cash.

J. F. CHARLESWORTH.

Edward E. Strauss & Co's. man will be at Badgett's Friday, 21st, with a complete line of piece goods. This will be the best opportunity this season to select something for a suit or overcoat and be measured by an expert.

The Bain wagon, sold by Vinita Plow Company, is always popular.

The Season for

Stove Talk and Stove Use

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